

10-16-06

10-16-06
IAP15 Rec'd PCT/PTO 13 OCT 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: JENSEN ET AL.

Examiner: UNKNOWN

Serial No.: 10/563,194

Group Art Unit: UNKNOWN

Filed: JANUARY 3, 2006

Docket: 9663.66USWO

Confirmation No.: 5997

Due Date: OCTOBER 14, 2006

Title: NOD-FACTOR PERCEPTION

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV840127205US

Date of Deposit: October 13, 2006

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

By: 

Name: Wanda Kivisto

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

23552

PATENT TRADEMARK OFFICE


Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Small entity status has been previously established
- ☒ Check(s) in the amount of \$65.00 for Missing Parts Surcharge
- ☒ Amendment and Response to Notification to Comply and Certificate Regarding Sequence Listing
- ☒ Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures
- ☒ Computer readable form of Sequence Listing. Applicants state that the paper copy form of the Sequence Listing section of the present application, and the computer readable form submitted herewith, are the same.
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

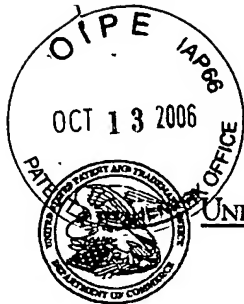
Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
612.332.5300

By: 
Name: Denise M. Kettelberger, Ph.D.
Reg. No.: 33,924
DKettelberger:PLSkaw

10/20/2006 GFREY1 00000114 10563194

01 FC:2617

65.00 OP



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/563,194	Jens Stougaard Jensen	09663.0066USWO

INTERNATIONAL APPLICATION NO.

PCT/DK04/00478

I.A. FILING DATE	PRIORITY DATE
07/02/2004	07/03/2003

23552
 MERCHANT & GOULD PC
 P.O. BOX 2903
 MINNEAPOLIS, MN 55402-0903

ORD
 * DMK

CONFIRMATION NO. 5997

371 FORMALITIES LETTER



OC000000020007161

SEQ RESP 1: 09/14/2006

SEQ RESP 3/PTA: 11/14/2006

SEQ RESP STAT: 02/14/2007

Date Mailed: 08/14/2006

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- \$65 Surcharge.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

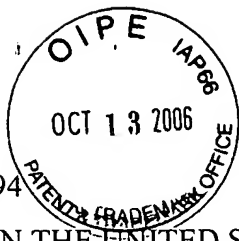
LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/563,194	PCT/DK04/00478	09663.0066USWO

FORM PCT/DO/EO/922 (371 Formalities Notice)



S/N 10/563,194

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	JENSEN ET AL.	Examiner:	UNKNOWN
Serial No.:	10/563,194	Group Art Unit:	UNKNOWN
Filed:	JANUARY 3, 2006	Docket No.:	9663.66USWO
Title:	NOD-FACTOR PERCEPTION		

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV840127205US

Date of Deposit: October 13, 2006

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

By: 
Name: Wanda Kivisto

**AMENDMENT AND RESPONSE TO NOTIFICATION TO COMPLY AND
CERTIFICATE REGARDING SEQUENCE LISTING**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

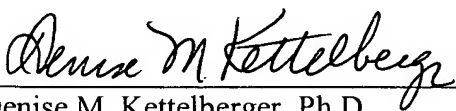
This paper is being filed in response to the Examiner's communication mailed August 14, 2006. In response to the Notification to Comply and in accordance with the requirements of 37 C.F.R. § 1.821 - § 1.825, Applicants enclose herewith a substitute computer readable form of the Sequence Listing. In addition, a paper copy of the substitute Sequence Listing is also provided. Please amend the specification to delete the existing Sequence Listing and insert in its place the paper copy of the substitute Sequence Listing after the Abstract in accordance with 37 CFR 1.77(b)(11). Applicants state that the substitute paper copy of the Sequence Listing of the present application and the computer readable form submitted herewith are the same. Applicants hereby state that the substitute computer readable form and the paper copy of the Sequence Listing enclosed are the same and do not include new matter.

Pursuant to the Examiner's request, also enclosed is a copy of the Notification to Comply with the sequence listing rules.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: 13 October 2006


Denise M. Kettelberger, Ph.D.
Reg. No. 33,924
DMK:PLSkaw